

Message Text

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ORIGIN SS-25

INFO OCT-01 ISO-00 (ISO) R

DRAFTED BY EB/OA:MHSTYLES:VLV

APPROVED BY EB/OA:MHSTYLES

ARA/EP - MR. WEBER

D - MR. PENDLETON

S/S - JPMOFFAT

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R 070006Z MAY 75

FM SECSTATE WASHDC

TO AMEMBASSY LIMA

C O N F I D E N T I A L STATE 106073

STADIS//////////

EXDIS

E.O. 11652: GDS

TAGS: EAIR, PE

SUBJECT: CIVAIR IMPASSE

REF: LIMA 3624 ; LIMA 3678

1. DEPARTMENT HAD CONTEMPLATED THAT, IF AND WHEN PRESIDENT WITHDRAWS HIS STAY OF PART 213 ORDER AGAINST AEROPERU, WE WOULD ASK AMBASSADOR TO DELIVER NOTE TO GOP REJECTING LAST AEROPERU OFFER, ADVISING OF PART 213 ACTION, AND PROPOSING INTERGOVERNMENTAL TALKS BE RESUMED. TEXT OF PROPOSED NOTE FOLLOWS:

BEGIN TEXT: THE USG HAS REVIEWED THE RESULTS OF THE AIRLINE DISCUSSIONS WHICH WERE HELD AT THE URGING OF THE GOP AND HAS CONCLUDED THAT THE FINAL OFFER OF AEROPERU, WHICH PRESUMABLY HAD THE APPROVAL OF THE GOP, CANNOT FORM A BASIS FOR AN ACCEPTABLE SOLUTION OF THE AVIATION ISSUE. THE AEROPERU OFFER WOULD NOT PERMIT BRANIFF TO OPERATE
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SERVICES ON A COMMERCIALLY VIABLE BASIS.

IT IS THE VIEW OF MY GOVERNMENT THAT IT HAS ALLOWED AMPLE TIME FOR THE AIRLINES TO DEVELOP A BASIS FOR A SOLUTION, AS

YOUR GOVERNMENT REQUESTED, AND THAT THE USG CAN NO LONGER DEFER TAKING STEPS LOOKING TO THE PROTECTION OF ITS OWN

INTERESTS. THE USG CANNOT ACCEPT FURTHER CONTINUATION OF THE CURRENT SITUATION IN WHICH THE U.S. AIRLINE HAS BEEN UNILATERALLY RESTRICTED BY PERU IN VIOLATION OF THE AIR TRANSPORT AGREEMENT WHILE THE PERUVIAN AIRLINE OPERATES WITHOUT RESTRICTIONS. ACCORDINGLY, THE PRESIDENT IS WITHDRAWING HIS STAY OF AN ORDER OF THE CIVIL AERONAUTICS BOARD WHICH WILL IMPOSE, IN THIRTY DAYS, LIMITATIONS ON THE OPERATIONS OF AEROPERU, UNLESS A NEGOTIATED SOLUTION IS REACHED.

THE USG CONTINUES TO DESIRE A NEGOTIATED SOLUTION OF THIS MATTER AND, TO THIS END, IS PREPARED TO RESUME FORMAL INTERGOVERNMENTAL NEGOTIATIONS AS SOON AS POSSIBLE. END TEXT.

2. DEPARTMENT WOULD APPRECIATE EMBASSY COMMENTS ON PROPOSED TEXT.

3. IN ORDER NOT GIVE PERU OPPORTUNITY TO CASTIGATE U.S. AT OASGA BEGINNING MAY 8, IT HAS BEEN DECIDED NOT TO SEND RECOMMENDATION TO PRESIDENT THAT HE WITHDRAW STAY UNTIL MAY 9. DEPARTMENT WILL ADVISE EMBASSY IF AND WHEN PRESIDENT WITHDRAWS STAY AND TIMING FOR DELIVERY OF NOTE.

4. IN LIGHT FOREGOING, AS WELL AS PROBABILITY GOP WILL BLAME BRANIFF (AND/OR USG) FOR BREAKDOWN WHETHER OR NOT BRANIFF RESPONDS TO AEROPERU'S APRIL 21 LETTER, DEPARTMENT NOT INCLINED PRESS BRANIFF TO RESPOND. BRANIFF IS MOST RELUCTANT DO SO. EMBASSY COMMENTS REQUESTED. KISSINGER

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<< END OF DOCUMENT >>

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